

# Notice of Allowability

Application No.

09/894,017

Examiner

Nathan Curs

Applicant(s)

IKOMA ET AL.

Art Unit

2633

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment of 20 December 2004.
2. ☒ The allowed claim(s) is/are 1,2,5-8,12,14-20 and 23-32.
3. ☒ The drawings filed on 29 June 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____   |

  
JASON CHAN  
SUPERVISORY PATENT EXAMINER

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Yoshida (reg. 37009) on 28 January 2005.

The following corrections should be made to the applicant's amended claims of 20 December 2004 to overcome remaining spelling, grammar and 112-2<sup>nd</sup> paragraph related problems:

- In currently amended claim 1:
  - In line 2, the phrase "characterized in that in an optical network system" should be changed to "in the optical network system".
  - In line 19, the phrase "to generate the" should be changed to "to generate a".
  - In line 20, "scrumbled" should be changed to "scrambled".
  - In lines 23-24, the phrase "in the optical signal for the optical transmission quality in a transmission path" should be changed to "into the transmission path".
- In original claim 2:
  - In line 2, "comprising" should be changed to "comprises".
- In original claim 5:

Art Unit: 2633

- In lines 4, the phrase “establishing the transmission path, if the quality” should be changed to “transmitting the signal to be transmitted; and if the quality”.
- In line 5, “being” should be changed to “is”.
- In line 6, each occurrence of “being” should be changed to “is”, and the phrase “established, another test signal” should be changed to “established, and another test signal”
- In currently amended claim 6:
  - In line 5-6, the phrase “selectively adding an electronic test signal” should be changed to “selectively adding a scrambled test signal”.
  - In line 8, the phrase “indicative of a bit rate to be” should be changed to “indicative of a bit rate of a scrambled test signal to be”
  - In line 9, the phrase “test-signal-contained electronic signal” should be changed to “electronic signal”.
  - In line 13, “scrumbled” should be changed to “scrambled”.
  - In line 18, the phrase “converting the test-signal-contained optical signal” should be changed to “converting a received test-signal-contained optical signal”.
  - In line 19, the phrase “to the test-signal-contained electronic signal” should be changed to “to a second test-signal-contained electronic signal”.
  - In line 20, the phrase “determines quality” should be changed to “determines the quality”.
  - In line 21, the phrase “electronic test signal” should be changed to “second test-signal-contained electronic signal”.

Art Unit: 2633

- In line 23, the phrase “test-signal-contained electronic test signal” should be changed to “second test-signal-contained electronic signal”.
  - In line 26, the phrase “using the clock component for descrambling the scrambled test signal to” should be changed to “using a clock signal component for descrambling a scrambled test signal component of the second test-signal-contained electronic signal to”.
  - In line 34, the phrase “the test-signal-contained electronic signal” should be changed to “the second test-signal-contained electronic signal”.
  - In line 35, the phrase “the optical signal to the client line” should be changed to “a received optical signal for the client line”.
- In original claim 7:
  - In line 4, “electronic” should be changed to “scrambled”.
- In original claim 12:
  - In line 3, the phrase “electronic test signal” should be changed to “second test-signal-contained electronic signal”.
- In original claim 14:
  - In line 2, the phrase “from the optical signal at a” should be changed to “from a”
  - In line 3, the phrase “predetermined single wavelength, said first” should be changed to “predetermined single wavelength, and wherein said first”.
  - In line 4, the phrase “each converting to the optical signal at the predetermined single wavelength” should be changed to “each convert to a predetermined single wavelength.”
- In previously presented claim 15:

Art Unit: 2633

- In lines 3-4, the phrase “optical signal with different wavelengths to an electronic signal, said first” should be changed to “optical signal with a variable wavelength to an electronic signal, and wherein said first”.
- In line 5, the phrase “electronic signal to the optical signal with different wavelengths” should be changed to “electronic signal to an optical signal with a variable wavelength”
- In currently amended claim 16:
  - In line 5, the phrase “optical signal at a plurality of” should be changed to “optical signal comprising”.
  - In line 8, the phrase “separating the optical signal at a desired wavelength” should be changed to “separating a desired wavelength from the optical signal comprising multiplexed wavelengths”.
  - In line 10, the phrase “for combining the optical signals at the multiplexed” should be changed to “for creating the optical signal comprising multiplexed”.
  - In line 13, the phrase “for converting the” should be changed to “for converting an”.
  - In line 16, each occurrence of “said” should be changed to “an”.
  - In line 20, the phrase “said test signal generator” should be changed to “said test signal generator circuit”.
  - In line 22, the phrase “a bit rate to be added to the test signal” should be changed to “a bit rate of the test signal”.
  - In line 26, the phrase “generate the scrambled test signal” should be changed to “generate a scrambled test signal”.

Art Unit: 2633

- In line 28, the phrase “based on the test signal” should be changed to “based on a test signal”.
  - In line 30, the phrase “extracting the clock signal from the separated” should be changed to “extracting a clock signal from a separated”.
  - In line 31, each occurrence of the phrase “test signal” should be changed to “wavelength signal” and “synchronize” should be changed to “determine”.
  - In line 33, the phrase “the clock component for descrambling the scrambled test signal” should be changed to “the clock signal for descrambling a received scrambled test signal”.
  - In line 36, the phrase “of the selected” should be changed to “of a selected”.
- In original claim 17:
  - In line 2, “demultiplexor” should be changed to “demultiplexer”.
- In original claim 25:
  - In line 2, the phrase “said transponders receives the optical signal from said optical wavelength separator at” should be changed to “said transponders each receive a predetermined optical wavelength signal from said optical wavelength separator for”.
  - In line 3, the phrase “of the desired wavelengths” should be changed to “of desired wavelengths”.
- In original claim 26:
  - In line 2, the phrase “receives the optical signal from the client lines at any” should be changed to “receives optical signals from the client lines in any”.

Art Unit: 2633

- In line 3, the phrase “the desired wavelengths” should be changed to “desired wavelengths”.
- In currently amended 27:
  - In line 4, the phrase “client lines to a” should be changed to “client lines to an”.
  - In line 7, the phrase “to the test signal” should be changed to “to a test signal generator”.
  - In line 8, the phrase “adding the electrical signal to the test signal in the transponder” should be changed “adding the electrical signal and the test signal in the transponder to create a sum signal”.
  - In line 9, the phrase “scrambling the electrical signal to generate a scrambled test signal” should be changed to “scrambling the sum signal to generate a scrambled test signal”.
  - In line 10, the phrase “electrical signal to the optical signal” should be changed to “scrambled test signal to an optical signal”.
  - In line 12, the phrase “converting the” should be changed to “converting an”.
  - In line 13, the phrase “to the electrical signal” should be changed to “to a second electrical signal”.
  - In line 14, the phrase “extracting the clock signal from the test signal” should be changed to “extracting a clock signal from the second electrical signal”.
  - In line 15, the phrase “descrambling the scrambled test signal” should be changed to “descrambling the second electrical signal”

Art Unit: 2633

- In line 18, the phrase "bit error count/computation of the" should be changed to "bit error count/computation with the".
- In line 20, the phrase "test signal based up the clock signal" should be changed to "test signal with the clock signal".
- In line 21, the phrase "the test signal in the transponder" should be changed to "the test signal comparison in the transponder".
- In line 23, the phrase "converting the electrical signal to the optical signal" should be changed to "converting the second electrical signal to an optical signal".
- In original claim 28:
  - In line 2, the phrase "client lines based upon" should be changed to "client lines based on".
- In original claim 30:
  - In line 2, the phrase "the optical signal at" should be deleted.
  - In line 3, the phrase "wavelengths, wherein said transmission quality" should be changed to "wavelengths to form an optical signal for a transmission line, wherein said transmission quality".
- In previously presented claim 31:
  - In line 2, the phrase "demultiplexing the optical signal" should be changed to "demultiplexing an optical signal".
  - In line 3, the phrase "transmission lines to optical signals at a plurality" should be changed to "transmission lines into a plurality".
  - In line 5, the phrase "part of the wavelengths" should be changed to "part of the plurality of wavelengths".



Art Unit: 2633

- In line 6, the phrase “among the plurality of the demultiplexed optical signals” should be deleted.
- In currently amended claim 32:
  - In line 2, the phrase “wherein the wavelengths of the selected demultiplexed” should be changed to “wherein the selected part of the plurality of wavelengths of the demultiplexed”.
  - In line 3, the phrase “signals are remotely” should be changed to “signal is remotely”.

### ***Conclusion***

2. Any inquiry concerning this communication from the examiner should be directed to N. Curs whose telephone number is (571) 272-3028. The examiner can normally be reached M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached at (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.